

Ohio executes schizophrenic death row inmate

Kate Randall
16 June 2001

Despite widespread protests both internationally and in the US, the state of Ohio executed 48-year-old Jay D. Scott on Thursday, June 14. Scott was a diagnosed schizophrenic with a low IQ who suffered an abusive childhood and spent all but 28 months in prison since the age of 13. He was only the second inmate put to death in Ohio since the state reinstated the death penalty in 1981.

Scott's lethal injection, which came only three days after the execution of Oklahoma City bomber Timothy McVeigh, took place as George W. Bush was making his first visit to Europe. Bush has faced widespread public protests during his trip over the US practice of capital punishment. A staunch supporter of the death penalty, Bush presided over 152 executions during his six years as governor of Texas.

As Bush arrived in Spain on Tuesday, the first stop on his tour, he was greeted by about 4,000 demonstrators protesting his stand on missile defense, the environment and the death penalty. Only the week before, Joaquin Jose Martinez, a Spanish national who had spent three years on death row in Florida for a double-murder, had been released after new evidence cleared him of the crime.

In Sweden on Thursday, demonstrators carried out mock executions in a homemade electric chair, dumping the "dead" bodies into a funeral van. Sweden signed a letter on behalf of the European Union calling on Ohio Governor Bob Taft to halt the execution, saying the EU "opposes the death penalty in all cases and promotes universal abolition."

The human rights group Amnesty International appealed to Ohio authorities to spare Jay Scott's life. A coalition of ministers, mental health advocates and other death penalty opponents in Ohio called on Governor Taft to grant him clemency. The Ohio chapter of the National Alliance for the Mentally Ill also condemned his execution.

This was the third time in less than two months that Scott had faced death. On both April 17 and May 15 court orders halted his execution just minutes before it was scheduled. In the latter instance, the tubes to be used for his lethal injection had already been inserted in his arms when the execution was called off at the last minute. On Wednesday, June 13 the US Supreme Court refused his appeal and Governor Taft denied him clemency.

Scott was convicted and sentenced to death for the 1983 murders of Vinney Prince, 75, and Ralph Alexander Jones, Sr., 66, during a 13-hour rampage in Cleveland. His lawyers argued that his original defense provided inadequate counsel by failing to raise the issue of his mental competency during the sentencing phase of his trial, and that he might have been spared the death penalty.

Jay Scott's execution on Thursday was the tragic end to a life dominated by poverty and abuse—compounded by mental illness. His story mirrors that of a significant portion of the more than 3,700 condemned inmates on death rows across the US.

Scott's attorneys wrote in their clemency request to Governor Taft that "From the day he was born, Jay D. lived in a world of extreme deprivation, poverty and violence." They argued that he should not be viewed as "a coldblooded, clearheaded and callous killer" but as a "young man who had so many things working against him from the beginning of his life, and who never really had a fair chance."

Scott grew up in an impoverished neighborhood on Cleveland's east side, the sixth of eleven children of Willie and Sadie Scott. Both parents were alcoholics who reportedly beat and abused their children. Scott's father spent most of the family's money on alcohol and gambling, forcing his wife and children to borrow and steal to make ends meet. The children slept as many as five to a bed and often had no heat in the cold winter

months because utility bills went unpaid.

As a child, Scott battled learning disabilities and stuttered. Mental experts for his defense speculate that his mental illness may have started in childhood, although it went undiagnosed until he was an adult. He spent much of his time on the streets, and by the age of nine he had been arrested on charges of truancy, theft, and breaking and entering. At age 13 he was placed in the Cleveland Boys School for troubled youth.

Among Scott's siblings, a brother and sister were shot to death and another brother was paralyzed in a shooting. His older brother Willie spent most of his life in psychiatric hospitals. Two brothers and one half-brother witnessed his execution on Thursday. Scott's final words to his relatives were, "Don't worry. Tell them I'm alright."

In prison in the early 1990s, Scott learned that he suffered from chronic schizophrenia, a biological brain disorder. He exhibited strange behavior in prison, banging his head against the wall and running around his cell chanting. He explained these actions as an effort to protect his family from evil. He was given psychotropic drugs that helped to stabilize him, but had stopped taking them as his execution approached. Due to his mental impairment and low IQ his attorneys argued that he wasn't capable of fully comprehending his approaching execution.

Fifteen US states and the federal government now ban the execution of the mentally retarded. On June 5, the US Supreme Court ruled 6-3 to overturn the death sentence of Texas prisoner John Paul Penry, a retarded man with the mental capacity of a six-year-old. Although the justices ruled that Penry's mental deficiency should have been presented to jurors as a mitigating factor in his sentencing, they stopped short of banning the execution of the mentally retarded as unconstitutional.

The Death Penalty Information Center estimates that 35 mentally retarded individuals have been executed since the US Supreme Court reinstated capital punishment. In 1989 the American Bar Association adopted a policy opposing the execution of the mentally retarded, irrespective of their guilt or innocence.

Jay Scott was the 36th person executed this year, and the 719th since executions were resumed in 1977. Five more men are scheduled to be put to death before the

end of the month. Next Tuesday, June 19, federal inmate Juan Raul Garza is set to die by lethal injection in Terre Haute, Indiana. Garza was sentenced to death for committing one drug-related murder and ordering two others.

On Thursday, June 14, the US Court of Appeals for the Seventh Circuit in Chicago rejected a plea on Garza's behalf. His attorneys argued that his execution would violate the charter of the Organization of American States, because hearsay testimony by a US Customs agent at his sentencing hearing describing his criminal activity in Mexico could not be rebutted by the defense. Garza's attorneys have filed an appeal with the US Supreme Court and have also asked President Bush to commute his death sentence.

Garza is one of 20 federal inmates currently on death row. Having executed Timothy McVeigh, the first federal inmate to be put to death since 1963, the government has in effect cleared the way for the executions of this group of prisoners to proceed.

Federal death row is disproportionately comprised of minority prisoners, including 14 African-Americans, 3 Hispanics and 3 white inmates. Just prior to the McVeigh execution, the US Justice Department issued a report concluding that federal death penalty procedures were not racially biased. The report said the high proportion of minority federal death row prisoners was due to disproportionate number of minorities involved in drug trafficking, not racial bias on the part of prosecutors and the judiciary. Bill Clinton had temporarily stayed Garza's execution pending the findings of the Justice Department's study.



To contact the WSWS and the Socialist Equality Party visit:
wsws.org/contact